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SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER THERIAULT, STEVEN B	
			ART UNIT 2179	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/090,643

Applicant(s)

VILLET ET AL.

Examiner

Steven B. Theriault

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-15 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-15, 17-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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DETAILED ACTION

1. This action is responsive to the following communications: RCE on 09/10/2007.
2. Claims 1-23 are pending in the case. Claims 1 and 21 are the independent claims. Claims 1 and 21 are the amended claims.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/10/2007 has been entered.

Claim Rejections - 35 USC § 103

3. **The following is a quotation of 35 U.S.C. 103(a) that forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

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commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1-6, 8-11, 13-15, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Louis et al (hereinafter Louis) U.S. Patent No. 6,088,023 issued July 11, 2000 and filed Dec. 10, 1996, in view of Sibert et al (hereinafter Sibert) U.S. Patent No. 6184863 issued Feb. 6, 2001.**

In regard to **Independent claim 1**, Louis teaches *a method for pointing at information in a multi-dimensional space, comprising the steps of:*

- *Setting a portion of a full screen as a pointing screen;* (Louis Figures 1-9 and column 5, lines 1-20) Louis expressly teaches the user may define a graphics window that is displayed on the display space where the user has the ability to adjust the size of the graphics window
- *Determining whether desired information to be pointed at is included in the set pointing screen;* (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the ability for the graphics window to be moved about the display when the user determines that the desired information is not included in the graphics window.
- *When it is determined that the desired information is not included in the pointing screen, moving the pointing screen using the pointer so that the desired information is included in the pointing screen; and (d) Pointing at the desired information included in the pointing screen when it is determined that the desired information is included in the pointing screen or after step (c), wherein at least one of steps (a), (c), and (d) is performed by a*

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user's s motion in at least one direction selected from up, down, forward, backward, to the left, and to the right and wherein said pointer comprises a sensor which determines the users motion (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis shows a plurality to items on the display (now and they) where the graphics window is moved to encompass the words (compare Fig 4a to 4b) when the window is moved to the right. Louis teaches the windows can be moved in a free form manner that would include up/down, left/right. Further, Louis teaches a pointer that contains a sensor that is moved to move a window (See Figures 9a and 9b and column 9, lines 20-31). The sensor within the mouse detects the users motion.

Louis does not expressly teach:

- Wherein the pointer points directly at the pointing screen

However, Sibert teaches a process of modifying a traditional mouse input and adding a sensor arrangement and a finger apparatus to convert a normal computer monitor into a system that can allow the user to maintain interaction with the keyboard and use their finger to point directly at the pointing screen (See column 4, lines 22-45 and column 5, lines 30-45 and column 9, lines 40-67 and column 10, lines 1-12). Sibert and Louis are analogous art in that they both teach a process of accepting user input to perform a function on the display. They also both speak of using a laptop in conjunction with the input device.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Sibert and Louis in front of them, to modify the system of Louis to include the sensor and ring pointer, for the purposes of allowing the pointer to point directly at the screen. The motivation to combine Sibert and Louis comes from the suggestion in Sibert that adding the pointer would assist the user to perform more natural pointing functions without having to remove the hand from the keyboard and to save costs in not having to manufacture a mouse (See column 10, lines 1-12 and column 3, lines 30-35 and column 5, lines 55-67).

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With respect to **dependant claim 2**, Louis teaches *the full screen includes a plurality of pieces of information*. (Louis Figure 4a and 4b) Louis shows a plurality of pieces of information that are manipulated by the user within the graphics window.

With respect to **dependant claim 3**, Louis teaches the following sub-steps:

- *Determining whether the desired information is located on the left or right of the pointing screen, when it is determined that the desired information is not included in the pointing screen; (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the graphics window can be moved off of the display to point to information in another display space.*
- *Moving the pointing screen to the left so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the left of the pointing screen, and proceeding to step (d); and (c13) moving the pointing screen to the right so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the right of the pointing screen, and proceeding to step (d) (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the windows can be moved in a free form manner that would include left/right.*

With respect to **dependant claim 4**, Louis teaches the following:

- *Determining whether the desired information is located above or below the pointing screen, when it is determined that the desired information is not included in the pointing screen; (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the user determines that the desired information to be pointed at can be located off of the display space and the graphics window can be moved off the space to the desired information (see Figure 5c-5d and column 8, lines 27-43).*

- *Moving the pointing screen up so that the desired information is included in the pointing screen, when it is determined that the desired information is located above the pointing screen, and proceeding to step (d); and moving the pointing screen down so that the desired information is included in the pointing screen, when it is determined that the desired information is located below the pointing screen, and proceeding to step (d)* (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the windows can be moved in a free form manner that would include up/down, left/right.

With respect to **dependant claim 5**, Louis teaches the following:

- *Determining whether the desired information is located on the left or right of the pointing screen, when it is determined that the desired information is not included in the pointing screen; (c32) moving the pointing screen to the left so that the pointing screen is located at a same horizontal position as the desired information, when it is determined that the desired information is located on the left of the pointing screen; (c33) Moving the pointing screen to the right so that the pointing screen is located at a same horizontal position as the desired information, when it is determined that the desired information is located on the right of the pointing screen; determining whether the desired information is included in the pointing screen moved in step (c32) or (c33) and proceeding to step (d) when it is determined that the desired information is included in the moved pointing screen; (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the windows can be moved in a free form manner that would include left/right (See also column 8, lines 25-43).*
- *Determining whether the desired information is located above or below the moved pointing screen, when it is determined that the desired information is not included in the moved pointing screen; moving the pointing screen up so that the desired*

information is included in the pointing screen, when it is determined that the desired information is located above the moved pointing screen, and proceeding to step (d); and moving the pointing screen down so that the desired information is included in the pointing screen, when it is determined that the desired information is located below the moved pointing screen, and proceeding to step (d) (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the windows can be moved in a free form manner that would include up/down (See also column 8, lines 25-43).

With respect to **dependant claim 6**, Louis teaches the following sub-steps:

- *Determining whether the desired information is located above or below the pointing screen, when it is determined that the desired information is not included in the pointing screen; moving the pointing screen up so that the pointing screen is located at a same vertical position as the desired information, when it is determined that the desired information is located above the pointing screen; moving the pointing screen down so that the pointing screen is located at a same vertical position as the desired information, when it is determined that the desired information is located below the pointing screen; determining whether the desired information is included in the pointing screen moved in step (c42) or (c43) and proceeding to step (d) when it is determined that the desired information is included in the moved pointing screen;* (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the windows can be moved in a free form manner that would include up/down (See also column 8, lines 25-43). Louis shows the graphics window can be moved anywhere on the display to encompass the desired information.
- *Determining whether the desired information is located on the left or right of the moved pointing screen, when it is determined that the desired information is not included in the moved pointing screen; moving the pointing screen to the left so that*

the desired information is included in the pointing screen, when it is determined that the desired information is located on the left of the moved pointing screen, and proceeding to step (d); and moving the pointing screen to the right so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the right of the moved pointing screen, and proceeding to step (d) (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12) Louis teaches the windows can be moved in a free form manner that would include left/right (See also column 8, lines 25-43). Louis shows the graphics window can be moved anywhere on the display to encompass the desired information.

With respect to **dependant claim 8**, Louis teaches *the pointing screen is moved by moving the sensor beyond at least one of a horizontal motion range and a vertical motion range, when it is determined that the desired information is not included in the pointing screen in step (c), said at least one of the horizontal motion range and the vertical motion range corresponding to at least one range in which the sensor can be moved to the left/right and upward/downward, respectively, to point at the desired information in step (d)* (Louis Figure 11 and column 9, lines 30-67 and column 10, lines 1-42). Louis teaches a vertical range and a horizontal motion range for the device correspond the range that the graphics window can be moved (See also column 5, lines 1-10).

With respect to **dependant claim 9**, Louis teaches *At least one of a horizontal size and a vertical size of the pointing screen is set* (Louis Figures 1-9 and column 5, line 1-25) Louis expressly shows the ability to adjust the graphics window size on the display.

With respect to **dependant claim 10**, Louis teaches *an initial position which is initially pointed at within the pointing screen is set* (Louis Figure 1c and 3a-3d and column 6, lines 60-67) Louis

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teaches the cursor location in the graphics window is set by the user touching the sensor in a specific location.

With respect to **dependent claim 11**, Louis teaches a *speed at which the pointing screen is moved is set* (Louis column 3, lines 35-42 and column 8, lines 44-65 and column 11, lines 1-20). Louis teaches a variety of embodiments where a motion sensing logic along with a velocity zone are set that control the movement of the cursor movement across the screen. Louis teaches the device includes a rate-type pointing device, which suggests to the skilled artisan that a device is used the controls the rate at which a cursor is moved across the screen.

With respect to **dependant claim 13**, Louis teaches *the full screen corresponds to a graphical-user interface screen* (Louis figures 1-9). Louis teaches the full screen with the graphics window located within it and where the window can be resized to the users choice size.

With respect to **dependant claim 14**, Louis teaches *the sensor performs a unique pointing function like a mouse* (Louis Figure 9a –9b and column 9, lines 20-31). Louis teaches the sensor can be a mouse and function like a mouse.

With respect to **dependant claim 15**, Louis teaches *the desired information pointed at is executed* (Louis Figures 1c – 1d and 4a-4b). Louis teaches the user is entering in hand written information that is a process of executing a drawing command.

In regard to **Independent claim 21**, Louis teaches *the method for pointing at information in a multi-dimensional space and performing functions of a mouse, the method comprising: an information selection step of creating a pointing screen at a portion of a full screen at a user's option such that the pointing screen includes at least one piece of information to be executed; and an information execution step of executing the information included in the pointing screen by clicking the information using a pointer, wherein said pointer comprises a sensor for sensing a users movement* (Louis Figures 1-9 and column 7, lines 19-35, 49-67 and column 8, lines 1-12

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and column 9, lines 20-31). Louis teaches a cursor control in use with a graphical window in which the window is in direct control of the cursor movement on the display. The cursor can be moved and controlled using mouse movements (See figure 9a) and where a graphics window includes information (see figure 4a) and where the information is executed through a drawing command. Further, Louis teaches a pointer that contains a sensor that is moved to move a window (See Figures 9a and 9b and column 9, lines 20-31). The sensor within the mouse detects the users motion.

Louis does not expressly teach:

- Wherein the pointer points directly at the pointing screen

However, Sibert teaches a process of modifying a traditional mouse input and adding a sensor arrangement and a finger apparatus to convert a normal computer monitor into a system that can allow the user to maintain interaction with the keyboard and use their finger to point directly at the pointing screen (See column 4, lines 22-45 and column 5, lines 30-45 and column 9, lines 40-67 and column 10, lines 1-12). Sibert and Louis are analogous art in that they both teach a process of accepting user input to perform a function on the display. They also both speak of using a laptop in conjunction with the input device.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Sibert and Louis in front of them, to modify the system of Louis to include the sensor and ring pointer, for the purposes of allowing the pointer to point directly at the screen. The motivation to combine Sibert and Louis comes from the suggestion in Sibert that adding the pointer would assist the user to perform more natural pointing functions without having to remove the hand from the keyboard and to save costs in not having to manufacture a mouse (See column 10, lines 1-12 and column 3, lines 30-35 and column 5, lines 55-67).

6. **Claims 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Louis et al (hereinafter Louis) U.S. Patent No. 6,088,023 issued July 11, 2000 and filed Dec. 10, 1996,**

in further view of Wambach et al (hereinafter Wambach) U.S. Patent No. 6,097,369, issued Aug. 1, 2000 and filed Feb. 2, 1995.

With respect to **dependant claims 22 and 23**, as indicated in the above discussion, Louis in view of Sibert teaches every limitation of claim 1.

Louis in view of Sibert fails to expressly teach the method wherein *said sensor comprises at least a fixed member disposed on one segment of a finger and a moving member disposed on another segment of said finger and wherein said fixed member and said moving member are connected via an axis, wherein said axis, said fixed member and said moving member constitute the same device.*

Wambach teaches a glove that the user wears to perform mouse functions. The glove contains switches located on each finger to perform the various functions of the mouse such as drag-n-drop and selection and with an Infrared sensor located on the wrist to control the cursor direction. Wambach also teaches an alternative arrangement (see column 5, lines 15-20) where all of the cursor buttons and the infrared sensor are located on the finger so that all motion sensing devices follow the index finger. Therefore the infrared sensor and the moving switch are located on the same finger but on different sections or segments of the finger.

Additionally, Wambach teaches operations where the system senses when a finger is moved beyond a threshold rotation value that is measured from the plane where the finger normally resides, which is an example of a switch and a sensor connected by an axis. For example, the finger is rotated from the normal plane of the users hand and lets say the sensor is on the upper portion of the finger and the switch is on the lower. In relation to the resting plane of the hand the system would need to determine the sensor location and the switch for the purposes of computing the threshold value because the center of the plane would be at the sensor and all movements would be calculated in relation to the plane of the sensor. The axis of the finger and the fixed portion of the finger and the moving member are all a part of the same device. Louis and

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Wambach are analogous art because they are from the same field of endeavor of manipulating a cursor on the display screen to move a graphical object.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Louis, Sibert and Wambach before him at the time of the invention was made, to modify the system of Louis to incorporate a pointer that is directly pointed at the screen and to incorporate a hand sensor input device and all of the movement control switches into a single finger of the glove as taught by Wambach, in order to obtain a system that is able to adjust with the movement of a single finger. One would have been motivated to make such a combination because of the need to minimize or eliminate the unnecessary hand movement off of the keyboard to operate a conventional mouse as taught by Wambach.

7. **Claims 12, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Louis et al (hereinafter Louis) U.S. Patent No. 6,088,023 issued July 11, 2000 and filed Dec. 10, 1996, in view of Sibert et al (hereinafter Sibert) U.S. Patent No. 6,184,863 issued Feb. 6, 2001, in further view of Mallett et al (hereinafter Mallett) U.S. Patent No. 6,292,174 issued Sept 18, 2001 and filed May 4, 2000.**

With respect to **dependant claim 19**, as indicated in the above discussion, Louis in view of Sibert teaches every element of claim 1.

Louis expressly teaches the ability to detect and calibrate signals coming from an input device to measure the velocity of movement of the cursor in relation to the velocity of the users finger across the input touch screen or tablet (See column 3, lines 1-5 and 35-42 and figure 6a and 6b and column 8, Lines 43-65). Sibert teaches a process of using an input device to select a menu but the input device can point directly at the screen.

Louis in view of Sibert fails to expressly teach wherein the step (a) comprises preparing a speed menu used for setting the speed at which the pointing screen is moved. However, this

limitation would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Mallett, because Mallet teaches an enhanced cursor control mechanism with a menu that allows the user to set a speed setting to move the cursor across the screen (See Mallett figure 7). Mallett, Sibert and Louis are analogous art because Mallett teaches a process of moving a graphical object across a screen in synch with a users movement of an object across a sensing device and Sibert teaches a user input device and Louis teaches a process of measuring users movements of an object across a device. Mallett teaches the motivation to combine in that user interaction and manipulation of the computer environment is achieved using a variety of types of human-computer interface devices that control the display such as a joystick, mouse etc in which the displacement of the mouse on a workspace directly correlates to the displacement of the cursor.

With respect to **dependant claims 12 and 20**, as indicated in the above discussion, Louis in view of Sibert teaches every element of claim 1.

Louis in view of Sibert fails to expressly teach a *degree of reaction to the user's motion of a pointer displayed in the pointing screen, is set and preparing a reaction menu used for setting the degree of reaction of the pointer.*

Mallett expressly teaches the ability to adjust menu settings to control ballistics and speed setting of the cursor on the display. The system settings for mouse controls, cursor movement, click speed and other settings that allow for customization of the desktop to a given user (Mallett Figure 7 and column 22, lines 24-65). Mallett and Louis are analogous art because Mallett teaches a process of moving a graphical object across a screen in synch with a users movement of an object across a sensing device and Louis teaches a process of measuring users movements of an object across a device.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Louis, Sibert and Mallett before him at the time of the invention was made, to modify the system of Louis to incorporate a menu for setting the degree of reaction of the cursor, in order

to obtain a system that is able to allow a user to set the sensitivity to movement and how far the cursor will move with a corresponding movement of the users input on the screen or through the mouse. One would have been motivated to make such a combination because Mallett teaches that user interaction and manipulation of the computer environment is achieved using a variety of types of human-computer interface devices that control the display such as a joystick, mouse etc in which the displacement of the mouse on a workspace directly correlates to the displacement of the cursor *as taught by Mallett*.

With respect to **dependant claims 17 and 18**, as indicated in the above discussion, Louis teaches every element of claim 9.

Louis in view of Sibert expressly discloses the ability to adjust the horizontal and vertical size of the selection area using a mouse or direct input on a touch screen (see column 5, lines 1-10 and 19-20).

Louis in view of Sibert fails to expressly disclose the preparing a size menu used for setting said at least one of the horizontal size and the vertical size and preparing a **size menu** used for setting **the initial** position.

Mallett expressly teaches the ability to adjust menu settings to control ballistics and speed setting of the cursor on the display as well as the initial cursor position and size of the display screen. The system settings for mouse controls, cursor movement, click speed and other settings that allow for customization of the desktop to a given user (Mallett Figure 7 and column 22, lines 24-65). Mallett and Louis are analogous art because Mallett teaches a process of moving a graphical object across a screen in synch with a users movement of an object across a sensing device and Louis teaches a process of measuring users movements of an object across a device.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Louis, Sibert and Mallett before him at the time of the invention was made, to modify the system of Louis to incorporate a menu for setting the degree of reaction of the cursor, in order to obtain a system that is able to allow a user to set the sensitivity to movement and how far the

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cursor will move with a corresponding movement of the users input on the screen or through the mouse. One would have been motivated to make such a combination because Mallett teaches that user interaction and manipulation of the computer environment is achieved using a variety of types of human-computer interface devices that control the display such as a joystick, mouse etc in which the displacement of the mouse on a workspace directly correlates to the displacement of the cursor as taught by Mallett.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

8. Applicant's arguments with respect to claims 1 and 21 and dependent claims have been considered but are moot in view of the new ground(s) of rejection.

Applicant's argument that Louis does not disclose the specific operation of step (a) in claim 11

Applicant argues Louis does not disclose the operation of step (a) of claim 1, which recites, "A speed of movement of the pointing screen is set". Claim 11 depends from claim 1 and in claim, 1 (a) recites, " setting a portion of a full screen as a pointing screen". The applicant argues that Louis does not disclose the processes as recited in the above claims (See arguments page 10). The Examiner disagrees.

The Examiner stated in the previous argument that if the structure of the prior art is capable of performing the step then the exact feature need not be disclosed as described by the applicant. For example, Louis teaches setting a box that is located within the full screen for the purposes of accepting user input within the box to perform operations on elements on the screen and the to move the box. Therefore, the structure of Louis teaches the broadly recited features of the present application claim. Second, Louis teaches and describes a process of setting and moving a window at a given speed if the mouse moves across the surface at a given speed, which in the

Examiners opinion is a process of setting a speed to which the box that is pointed at by a mouse is moved. Therefore, the skilled artisan and the MPEP provide procedures for the Examiner to interpret and apply a broad and reasonable interpretation of the claim language and to not read in limitations from the specification into the claims. Therefore, as stated above, the Examiner believes based on the claim that a reasonable interpretation has been made because the structure of Louis, (e.g. a mouse input device, a display, a processor handling events, a bounded box, a speed detection process for moving the window, etc along with all the other features of Louis described above) teaches a similar process and device as described and claimed in the present application.

Applicant's argument regarding the interpretation of the Glove of Wambach

Applicant argues that the Examiners interpretation of Wambach does not satisfy the claim because they interpret the teachings of Wambach as not including the fixed member on the finger and only on the wrist (See arguments page 11).

The Examiner disagrees.

As argued previously, the Examiner interprets Wambach differently than the applicant and in this case, the Examiner and applicant can agree to disagree. The Examiners position is simple, in that Wambach states that the embodiment could be that the switches are on the finger and the Examiners argument and rejection is an obvious rejection. Wambach specifically states that the switches can be located on the glove on the index finger (See column 5, lines 15-20) and therefore, the Examiners interpretation is based on a specific and literal suggestion in the text of Wambach.

Conclusion

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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent 5,075,673 to Yanker et al., and discloses an adjustable viewport that is pointed at with a cursor that is used to move or point at desired information in the display.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M, W, F 10:00AM - 8:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



/Steven B Theriault/
Patent Examiner
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